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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,422	07/22/2003	Travis M. Cossel	100111125-1	7251

22879 7590 01/08/2007  
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FORT COLLINS, CO 80527-2400

EXAMINER

HOFFMAN, BRANDON S

ART UNIT	PAPER NUMBER
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2136

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/08/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/624,422	<b>Applicant(s)</b> COSSEL ET AL.	
	<b>Examiner</b> Brandon S. Hoffman	<b>Art Unit</b> 2136	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 7/22/03
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7-22-03</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement (IDS) submitted on July 22, 2003, is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6 and 11-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Van Oosterhout (U.S. Patent Pub. No. 2004/0179220).

Regarding claims 1, 14, 19, and 22, Van Oosterhout teaches a method/computer-usable media/digital transmitter of operating a digital transmitter, the method comprising:

- A scanner adapted to convert printed material into digital data (paragraph 0016, the document is scanned); and

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- A controller connected to the scanner for receiving the digital data, the controller adapted to transmit the digital data to one or more destination addresses selected by a user of the digital transmitter (paragraph 0016, the document is transmitted over a network), the controller further adapted to cause the digital transmitter to perform:
  - Detecting a security code (paragraph 0017, reading the markings);
  - Determining whether a user of the digital transmitter has proper security authorization (fig. 4);
  - Sending data corresponding to printed material into the digital transmitter to one or more destination addresses selected by the user when the user has proper security authorization (paragraph 0045, the user-requested communication is enabled and performed); and
  - Implementing security measures when the user does not have proper security authorization (paragraph 0045, the restricted region is not transmitted).

Regarding claims 2, 15, and 21, Van Oosterhout teaches wherein detecting the security code comprises detecting one of an indicator, a keyword, a key phrase, or a key graphical image from the printer material (paragraph 0034).

Regarding claim 3, Van Oosterhout teaches wherein detecting an indicator from the printed material comprises detecting a barcode or a watermark from the printed material (paragraph 0025).

Regarding claim 4, Van Oosterhout teaches wherein detecting the security code comprises matching one of the one or more destination addresses with a preselected destination address (paragraph 0045, the user-requested communication is enabled and performed).

Regarding claim 5, Van Oosterhout teaches wherein implementing security measures comprises deleting the data corresponding to the printed material (paragraph 0045, the portions that are not authorized are not sent, and are therefore deleted from the transmitted document).

Regarding claims 6 and 16, Van Oosterhout teaches wherein implementing security measures comprises sending the data corresponding to the printed material only to destination addresses of the one or more destination addresses that are approved for the user's security authorization (paragraph 0036).

Regarding claims 11 and 17, Van Oosterhout teaches wherein determining whether the user of the digital transmitter has proper security authorization comprises

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comparing the security code to a security authorization of the user of the digital transmitter (fig. 4).

Regarding claims 12 and 18, Van Oosterhout teaches further comprising determining a security level of the security code before determining whether the user of the digital transmitter has proper security authorization (paragraph 0041).

Regarding claim 13, Van Oosterhout teaches wherein determining whether the user of the digital transmitter has proper security authorization occurs when the security code does not correspond to a low security level (fig. 4).

Regarding claim 20, Van Oosterhout teaches further comprising a security monitor (fig. 5, ref. num 32).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7-10 and 23-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Oosterhout (U.S. Patent Pub. No. 2004/0179220) in view of Nolan (U.S. Patent Pub. No. 2003/0229492).

Regarding claim 7, Van Oosterhout teaches all the limitations of claim 1, above. However, Van Oosterhout does not teach wherein implementing security measures comprises sending a security message to a security monitor.

Nolan teaches wherein implementing security measures comprises sending a security message to a security monitor (paragraph 0044).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine sending a security message to a security monitor, as taught by Nolan, with the method of Van Oosterhout. It would have been obvious for such modifications because the proper authorities can be informed of a unauthorized access attempt.

Regarding claim 8, Van Oosterhout as modified by Nolan teaches wherein sending a security message to a security monitor comprises sending an audible message to a voicemail box (see paragraph 0044 of Nolan).

Regarding claim 9, Van Oosterhout teaches all the limitations of claim 1, above. However, Van Oosterhout does not teach wherein implementing security measures comprises notifying the user of an unauthorized sending attempt.

Nolan teaches wherein implementing security measures comprises notifying the user of an unauthorized sending attempt (paragraph 0073).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine notifying the user of an unauthorized sending attempt, as taught by Nolan, with the method of Van Oosterhout. It would have been obvious for such modifications because the proper authorities can be informed of a unauthorized access attempt.

Regarding claim 10, Van Oosterhout as modified by Nolan teaches wherein notifying the user of an unauthorized sending attempt comprises displaying a message indicative of the unauthorized sending attempt on a display of the digital transmitter or sending an email to the user indicative of the unauthorized sending attempt (see paragraph 0073 of Nolan).

Regarding claims 23 and 29, Van Oosterhout teaches a method of operating a digital transmitter, the method comprising:

- Detecting a security code from printed material scanned into the digital transmitter (paragraph 0017, reading the markings);
- When the security code corresponds to a low security level,
  - Sending data corresponding to printed material scanned into the digital transmitter to all of one or more destination addresses selected by a user



of the digital transmitter (paragraph 0045, the user-requested communication is enabled and performed); and

- When the security code does not correspond to a low security level,
  - Comparing the security level to a security authorization of the user to determine whether the user has proper security authorization (fig. 4);
  - Sending the data corresponding to the printed material to all of the one or more destination addresses selected by the user when the user has the proper security authorization (paragraph 0045, the user-requested communication is enabled and performed); and
  - Implementing security measures when the user does not have proper security authorization (paragraph 0045, the restricted region is not transmitted).

Van Oosterhout does not teach issuing a security message.

Nolan teaches issuing a security message (paragraph 0044).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine issuing a security message, as taught by Nolan, with the method of Van Oosterhout. It would have been obvious for such modifications because the proper authorities can be informed of a unauthorized access attempt.

Regarding claims 24 and 30, Van Oosterhout as modified by Nolan teaches wherein detecting the security code comprises detecting one of an indicator, a keyword, a key phrase, or a key graphical image from the printer material (see paragraph 0034 of Van Oosterhout).

Regarding claim 25, Van Oosterhout as modified by Nolan teaches wherein determining the level of the security code comprises matching the security code to a predetermined security code that corresponds to a preselected security level (see paragraph 0032 of Van Oosterhout).

Regarding claim 26, Van Oosterhout as modified by Nolan teaches wherein issuing the security message comprises sending the security message to at least one of the user and a security monitor (see paragraph 0073 of Nolan).

Regarding claim 27, Van Oosterhout as modified by Nolan teaches wherein issuing the security message comprises displaying the security message at the digital transmitter (see paragraph 0073 of Nolan).

Regarding claim 28, Van Oosterhout as modified by Nolan teaches further comprising prompting the user to input a security authorization when the security level of the security code is not low (see paragraph 0039 of Van Oosterhout).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Brandon S. Hoffman*

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*[Signature]*  
11/4/07